

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 162 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

STATE OF GUJARAT

Versus

HARMANBHAI @ KISHORBHAI REVANDAS (DECD)

Appearance:

Mr CC BHALJA for Petitioners

None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/11/98

ORAL JUDGMENT

This is another frivolous litigation on behalf of the State of Gujarat and Inspecting Officer, Court Fees, Nadiad, in this Court. This Court is already flooded with heavy pendency of cases and the State of Gujarat being the biggest litigant in this Court, is still adding to this number by filing number of frivolous litigations.

2. This matter pertains to Court fees to be paid on

the suit by the plaintiffs-respondents but looking to the quantum of deficit of court fees, it is a meagre and small amount and in such matters it is difficult to appreciate filing of revision application by none other than the State of Gujarat. Instead of wasting this money in this litigation this amount should have been utilized for some good public purpose.

3. There is yet another reason which favours for dismissal of this revision application. The suit is of the year 1982 and there are all the possibilities that by now, the suit itself would have been disposed of. In this C.R.A. this Court has not stayed the proceedings of the suit by granting interim relief.

4. So taking into consideration totality of the facts of this case, this revision application deserves to be dismissed and it is accordingly dismissed. However, it is made clear that this decision may not be taken to be a decision as if given on merits of the matter. This decision is given only taking into consideration the smallness of the claim of Court fees, subject matter of dispute in this C.R.A. Rule discharged.

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(sunil)